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**Introduced by Senator Maldonado**

February 22, 2005

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An act to amend Section 89500 of the Education Code, relating to the California State University.

## LEGISLATIVE COUNSEL'S DIGEST

SB 714, as introduced, Maldonado. California State University: personnel.

Existing law establishes the California State University and its various campuses under the administration of the Trustees of the California State University. Existing law authorizes the trustees to hire employees and to provide, by rule, for their governance.

This bill would make a technical, nonsubstantive change in a provision relating to the governance of the employees of the California State University.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 89500 of the Education Code is  
2 amended to read:  
3 89500. (a) (1) Notwithstanding any other provision of law,  
4 the trustees shall provide by rule for the government of their  
5 appointees and employees, pursuant to this chapter and other  
6 applicable provisions of law, including, but not *necessarily*  
7 limited to: appointment; classification; terms; duties; pay and  
8 overtime pay; uniform and equipment allowances; travel  
9 expenses and allowances; rates for housing and lodging; moving  
10 expenses; leave of absence; tenure; vacation; holidays; layoff;

1 dismissal; demotion; suspension; sick leave; reinstatement; and  
2 employer's contribution to employees', annuitants', and  
3 survivors' health benefits plans.

4 (2) The rules adopted by the trustees relating to tenure, layoff,  
5 dismissal, demotion, suspension, and reinstatement of academic  
6 and administrative employees shall be adopted on or before  
7 February 1, 1962, and become effective on July 1, 1962, with  
8 respect to employees who are academic teaching and  
9 administrative employees as defined in subdivision (1)(e) of  
10 Section 24301, as it read on June 30, 1961, as enacted by Chapter  
11 2 of the Statutes of 1959.

12 (b) The adoption of these rules and regulations shall not be  
13 subject to Chapter 3.5 (commencing with Section 11340) of Part  
14 1 of Division 3 of Title 2 of the Government Code.

15 (c) If the provisions of this section are in conflict with the  
16 provisions of a memorandum of understanding reached pursuant  
17 to Chapter 12 (commencing with Section 3560) of Division 4 of  
18 Title 1 of the Government Code, the memorandum of  
19 understanding shall be controlling without further legislative  
20 action, except that, if the provisions of a memorandum of  
21 understanding require the expenditure of funds, the provisions  
22 shall not become effective unless approved by the Legislature in  
23 the annual Budget Act.